

10/829, 147. CAC



Patent No. 7,044,037  
Request for Cert. of Correction dated November 28, 2006  
Attorney Docket No.: 2005-040290

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 7,044,037 Confirmation No. 5091  
Inventors : Cossette et al.  
Issued : May 16, 2006  
Title : Tip for Demolition and Construction Equipment  
Examiner : Charles Goodman  
Customer No. : 28289

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ATTENTION: Decision and Certificate of Correction  
Branch of the Patent Issue Division  
Sir:

In accordance with 35 U.S.C. §255, we attach hereto Form PTO/SB/44 and proof of error and request that a Certificate of Correction be issued in the above-identified patent. The following error appears in the patent as printed:

Face of Patent, See Item (75), Inventors: "Marc A. Cossette, Poland, OH (US); John R. Ramun, 8243 N. Lima Rd., Poland, OH (US) 44514" should be reversed and should read  
-- John R. Ramun, 8243 N. Lima Rd., Poland, OH (US) 44514;  
Marc A. Cossette, Poland, OH (US) --

(See the Application Data Sheet, Utility Patent Application Transmittal form, Express Mail Certificate, Filing Receipt mailed June 28, 2004 and the Notice to File Missing Parts, all of which indicate that Mr. Ramun is the first named inventor. )

It is when the Assignment was prepared, assigning Mr. Cossette's rights to Mr. Ramun that a clerical error was made. The clerk who prepared the Assignment document also prepared the Declaration with Mr. Cossette's name shown first. Our office continued to name Mr. Ramun on all of the forms sent to the Patent and Trademark Office up to the issuance of the patent, but the patent issued with the first named inventor as it was shown on the Declaration which was incorrect.

The above error is an obvious clerical error made by Applicants. A check for \$100.00 is attached to cover the fee for correction of Applicants' mistake.

Respectfully submitted,

THE WEBB LAW FIRM

By

12/01/2006 TRESMAH2 00000021 7044037

100.00 OP

Richard L. Byrne  
Registration No. 28,498  
Attorney for Registrants  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
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UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 7,044,037  
APPLICATION NO. : 10/829,147  
ISSUE DATE : May 16, 2006  
INVENTORS : Cossette et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Face of Patent, See Item (75), Inventors: "Marc A. Cossette, Poland, OH (US);

John R. Ramun, 8243 N. Lima Rd., Poland, OH (US) 44514"  
should be reversed and should read

-- John R. Ramun, 8243 N. Lima Rd., Poland, OH (US) 44514;  
Marc A. Cossette, Poland, OH (US) --

MAILING ADDRESS OF SENDER: The Webb Law Firm  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219-1845

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-2450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select Option 2.*



## APPLICATION DATA SHEET

### APPLICATION INFORMATION

Filing Date:: April 21, 2004  
Application Type:: Regular  
Subject Matter:: Utility  
Title:: TIP FOR DEMOLITION AND CONSTRUCTION EQUIPMENT  
Attorney Docket Number:: 2005-040290  
Request for Early Publication?:: No  
Request for Non-Publication?:: No  
Suggested Drawing Figure:: Figure 6  
Total Drawing Sheets:: 7  
Small Entity?:: Yes

### APPLICANT INFORMATION

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: USA  
Status:: Full Capacity  
Given Name:: John  
Middle Name:: R.  
Family Name:: Ramun  
City of Residence:: Poland  
State or Province of Residence:: OH  
Country of Residence:: USA  
Street of Mailing Address:: 8243 North Lima Road  
City of Mailing Address:: Poland  
State or Province of Mailing Address:: OH  
Country of Mailing Address:: USA  
Postal or Zip Code of Mailing Address:: 44514

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: USA  
Status:: Full Capacity  
Given Name:: Marc  
Middle Name:: A.  
Family Name:: Cossette  
City of Residence:: Poland  
State or Province of Residence:: OH  
Country of Residence:: USA  
Street of Mailing Address:: 202 Edna Street  
City of Mailing Address:: Poland  
State or Province of Mailing Address:: OH  
Country of Mailing Address:: USA  
Postal or Zip Code of Mailing Address:: 44514

#### **CORRESPONDENCE INFORMATION**

Correspondence Customer Number:: 28289

#### **REPRESENTATIVE INFORMATION**

|                                  |       |  |
|----------------------------------|-------|--|
| Representative Customer Number:: | 28289 |  |
|----------------------------------|-------|--|

#### **ASSIGNMENT INFORMATION**

Assignee Name:: Allied Gator, Inc.  
Street of Mailing Address:: 2100 Poland Avenue  
City of Mailing Address:: Youngstown  
State or Province of Mailing Address:: PA  
Country of Mailing Address:: USA  
Postal or Zip Code of Mailing Address:: 44502

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |  |   |
|---|--|---|
| <b>UTILITY<br/>PATENT APPLICATION<br/>TRANSMITTAL</b><br><i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i> |  | Attorney Docket No. 2005-040290                       |
|   |  | First Inventor John R. RAMUN                          |
|   |  | Title "Tip for Demolition and Construction Equipment" |
|   |  | Express Mail Label No. EL 971283684 US                |

|   |  |   |  |
|---|--|---|--|
| <b>APPLICATION ELEMENTS</b><br><i>See MPEP chapter 600 concerning utility patent application contents.</i>  |  | <b>ADDRESS TO:</b><br><b>Mail Stop Patent Application<br/>Commissioner for Patents<br/>P.O. Box 1450<br/>Alexandria VA 22313-1450</b>   |  |
| <p>1. <input type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17)<br/><i>(Submit an original and a duplicate for fee processing)</i></p> <p>2. <input type="checkbox"/> Applicant claims small entity status.<br/>See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 12]<br/><i>(preferred arrangement set forth below)</i></p> <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross Reference to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings <i>(if filed)</i></li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 7]</p> <p>5. Oath or Declaration [Total Pages ]</p> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))<br/><i>(for continuation/divisional with Box 18 completed)</i> <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br/>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</li> </ul> </li> </ul> <p>6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> |  | <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i></p> <p>8. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i></p> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Computer Readable Form (CRF)</li> <li>b. <input type="checkbox"/> Specification Sequence Listing on:           <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li> <li>ii. <input type="checkbox"/> paper</li> </ul> </li> <li>c. <input type="checkbox"/> Statements verifying identity of above copies</li> </ul> |  |
| <b>ACCOMPANYING APPLICATION PARTS</b>   |  |   |  |
| <p>9. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i></p> <p>11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i></p> <p>12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br/><i>(Should be specifically itemized)</i></p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i></p> <p>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</p> <p>17. <input type="checkbox"/> Other: _____</p>  |  |   |  |

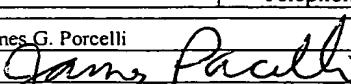
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No: \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_ Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**19. CORRESPONDENCE ADDRESS**

|  |   |           |   |
|--|---|-----------|---|
| <input checked="" type="checkbox"/> Customer Number: | 28289<br><i>(Insert Customer No. or Attach bar code label here)</i> |           | <input type="checkbox"/> OR <input type="checkbox"/> Correspondence address below |
| Name   | James G. Porcelli<br>Webb Ziesenhein Logsdon Orkin & Hanson, P.C.   |           |   |
| Address  | 700 Koppers Building<br>436 Seventh Avenue                          |           |   |
| City   | Pittsburgh  | State     | PA  |
| Country  | United States   | Telephone | 412-471-8815  |
| Zip Code   | Fax   |           | 15219   |
| Registration No. (Attorney/Agent)                    | Date  |           | 33,757  |

|                   |   |                                   |                     |
|-------------------|---|-----------------------------------|---------------------|
| Name (Print/Type) | James G. Porcelli   | Registration No. (Attorney/Agent) | 33,757              |
| Signature         |  |                                   | Date April 21, 2004 |

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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IN RE APPLICATION OF:

ATTORNEY DOCKET NUMBER

JOHN R. RAMUN ET AL.

2005-040290

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ENTITLED

**TIP FOR DEMOLITION AND CONSTRUCTION EQUIPMENT**

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Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

“Express Mail” Label Number EL 971283684 US

Date of Deposit April 21, 2004

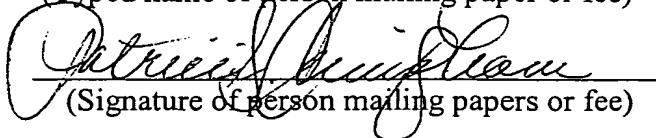
I hereby certify that the following attached papers or fees:

- UTILITY PATENT APPLICATION TRANSMITTAL (1 p.);
- APPLICATION DATA SHEET (2 pp.);
- SPECIFICATION (7 pp.) CLAIMS (4 pp.) and ABSTRACT (1 p.); and
- SEVEN (7) SHEETS OF FORMAL DRAWINGS

are being deposited with the United States Postal Service “Express Mail Post Office to Addressee” service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Patricia S. Cunningham

(Typed name of person mailing paper or fee)

  
(Signature of person mailing papers or fee)



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| APPL NO.   | FILING OR 371 (c) DATE | ART UNIT | FIL FEE REC'D | ATTY.DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|------------------------|----------|---------------|----------------|----------|----------|----------|
| 10/829,147 | 04/21/2004             | 3724     | 0.00          | 2005-040290    | 7        | 17       | 4        |

## CONFIRMATION NO. 5091

28289  
 WEBB ZIESENHEIM LOGSDON ORKIN & HANSON, P.C.  
 700 KOPPERS BUILDING  
 436 SEVENTH AVENUE  
 PITTSBURGH, PA 15219

## FILING RECEIPT



\*OC000000013088857\*

Date Mailed: 06/28/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

John R. Ramun, Poland, OH;  
 Marc A. Cossette, Poland, OH;

## Assignment For Published Patent Application

Allied Gator, Inc., Youngstown, PA;

## Domestic Priority data as claimed by applicant

## Foreign Applications

If Required, Foreign Filing License Granted: 06/27/2004

Projected Publication Date: To Be Determined - pending completion of Missing Parts

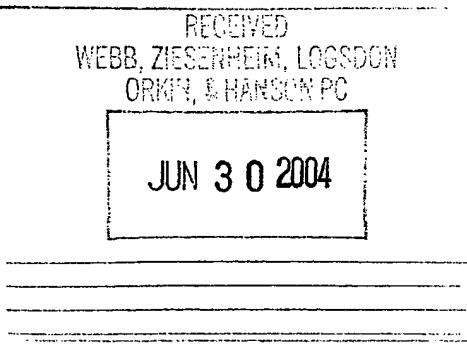
Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Tip for demolition and construction equipment





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/829,147         | 04/21/2004             | John R. Ramun         | 2005-040290            |

28289  
 WEBB ZIESENHEIM LOGSDON ORKIN & HANSON, P.C.  
 700 KOPPERS BUILDING  
 436 SEVENTH AVENUE  
 PITTSBURGH, PA 15219

## FORMALITIES LETTER



\*OC000000013088858\*

Date Mailed: 06/28/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

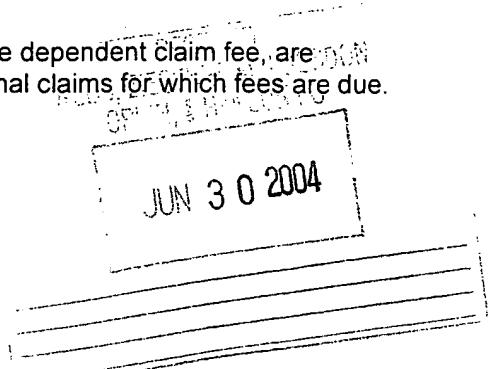
The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$43** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$493** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.



Application No.: 10/829,147  
Paper Dated: September 28, 2004  
Response to Notice to File Missing Parts dated June 28, 2004  
Attorney Docket No.: 2005-040290

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : John R. Ramun et al.  
Application No. : 10/829,147  
Filed : April 21, 2004  
Title : TIP FOR DEMOLITION AND CONSTRUCTION EQUIPMENT  
Art Unit : 3724  
Confirmation No. : 5091  
Customer No. : 28289

MAIL STOP MISSING PARTS

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

LETTER INDICATING PRACTITIONERS FOR POWER OF ATTORNEY

Sir:

This letter accompanies a Declaration and Power of Attorney document, which provides the power of attorney to more than ten practitioners.

In accordance with 37 CFR§1.32(c)(3), the following practitioners listed in the Declaration and Power of Attorney document are to be recognized by the United States Patent and Trademark Office as being of record in the above-referenced patent application or patent to which the Declaration and Power of Attorney document is directed:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 28, 2004.

Patricia S. Cunningham  
(Name of Person Mailing Paper)

Signature

09-28-04  
Date